

September 22, 2008
Special Meeting

The Union County Board of Commissioners met in a special meeting on Monday, September 22, 2008, at 6:00 p.m. in the Commissioners Board Room, first floor, Union County Government Center, 500 North Main Street, Monroe, North Carolina, for the purpose of conducting a work session to: 1) brief the Board on the progress and interim products related to the new Union County Comprehensive Plan; and 2) Present a recommended water allocation policy. The following were

PRESENT: Chairman Allan Baucom, Commissioner Roger Lane, Commissioner A. Parker Mills, Jr., and Commissioner Lanny Openshaw

ABSENT: Vice Chairman Kevin Pressley

ALSO PRESENT: Al Greene, County Manager, Lynn G. West, Clerk to the Board of Commissioners, Matthew Delk, Assistant County Manager, Jeff Crook, Senior Staff Attorney, Richard Black, Planning Director, H. Ligon Bundy, Attorney at Law, members of the press, and interested citizens

At approximately 7:00 p.m., the Chairman convened the special meeting and welcomed everyone present. He recognized Al Greene, County Manager, for comments.

Comprehensive Plan:

Mr. Greene stated that there would be two presentations for the Board tonight. He said that the first presentation would be an update on the efforts of the Planning Board and Steering Committee to develop a new Comprehensive Plan for Union County. Mr. Greene further said that they worked approximately 15 months to date on the plan. He introduced Robert Allen, Chairman of the Planning Board, Richard Black, Planning Director, and Roger Waldon of Clarion and Associates. He said that Mr. Waldon is facilitating the process, and a draft plan has been prepared. However, before the Steering Committee presents the draft plan in the upcoming public meetings, they wanted to present it to the Board for its comments.

Mr. Allen stated that originally the Planning Board was going to initiate the process of preparing the Comprehensive Plan, and he had asked Mr. Waldon and Mr. Black if the committee could be augmented with other interests from within the County. He said

that they had included 20 entities including Union County Schools, Parks and Recreation, JAARS, Chamber of Commerce, R-BEC, Union County Homebuilders Association, etc. He said they had also met with representatives of all 14 municipalities to assure that the draft plan would dovetail into the existing zoning for the municipalities and not cause any conflict.

Mr. Waldon used a Power Point presentation to illustrate some of the points of his discussion. He said that the first step of the process was to update information on existing conditions and then to focus on the key issues facing Union County such as transportation concerns, location of the Monroe Bypass and its impact, what to do about lack of balance in the County's tax base, and how to try to gain additional non-residential development, etc. and where it should go given the water and sewer constraints. He said that they had put together a report on community planning ideas. Further, he stated that simultaneously with these steps, there were two efforts which occurred with analysts studying transportation circumstances in the County and another effort to study the economic and market analysis. Mr. Waldon said that all of these issues: transportation, land use, market analysis all come together in the form of a land use plan that addresses where development might occur, should occur, can occur, where the market wants it to occur and where it should not occur. He stated that one of the issues that came to light early in the process was agricultural character and agricultural preservation. He said that by folding those issues together with the limitations on water and sewer and market demands, ideas emerged about where growth could best be accommodated, what could be accomplished by trying to help steer growth to areas where infrastructure would be available to serve it, and where it would offer the opportunity to get more aggressive about issues of rural and agricultural preservation.

Mr. Waldon said that one of the early ideas was that more could probably be done in achieving coordinated planning between the County and the municipalities by at least sharing information. He stated that they had studied several scenarios for land use patterns and development in the County by looking at status quo and at all of the land that is available for development. He stated that the more sensible scenario seemed to be looking at the growth corridors. He said that one of the issues that has been kept in mind throughout the process is the possibility for the Monroe Bypass, which will change everything. He further said that they have looked ahead into the future and anticipated that the Monroe Bypass is in place and using the best guess of where key interchanges might be and which of those would be best suited as possible employment centers versus retail centers and developed a working draft of the comprehensive plan.

Mr. Waldon said that in looking at the draft plan there is an area in the south and eastern portions of the county called rural conservation. He suggested that an area such as this would be helpful to include on the County's Land Use Plan that indicates areas that are within the horizon of the plan (20 to 25 years) not likely to be urban, not likely to be municipal, or not likely to see water and sewer services available, areas where agriculture is important and where there would be the best chances of maintaining the

agricultural practices in these areas. He said that these are areas where some rural conservation strategies would best be initiated and pursued. Mr. Waldon said that the Steering Committee has talked a great deal about what those strategies might be but does not have a firm recommendation to make. He stated that they had discussed lowering densities in those areas to discourage development, and that idea did not seem to be as workable as others.

He noted that another idea that has come to the surface is if it is focusing a lot of the retail, office, and employment in the areas to the northwest, there still need to be opportunities for retail services, etc. in these areas. He said they had discussed the 601 corridor to be a likely candidate for some centers of activity. He clarified that he was not saying that the whole corridor should be stripped out with commercial development. He said that the corridor needs further study and is not ready for immediate development. He suggested that it would be well worth looking at the corridor to determine in the future where activity centers might best be located.

Mr. Waldon said there has been a lot of discussion with the municipalities about coordinating land use designations for the unincorporated areas of the county located on the edges of the municipalities with what is happening in the municipalities. He said that there is a medium density category shown on the plan on both sides of Monroe. He stated that when they had talked with representatives of some of the municipalities, some representatives from Wingate had asked that this area be extended a little more. He said that based on the input they received, they moved some of the circles on the plan for activity centers. He stated that there had been a lot of good input and discussion.

He referred to the draft that was provided during the meeting as the fifth draft of the plan. Mr. Waldon said that they would like to take this latest draft to the public forum next week to receive some community reaction and then bring those comments to the Steering Committee on October 21st. He said that they are in the process of fine-tuning the plan and are getting closer to having a plan to present to the Board of Commissioners. He said that they wanted to bring a draft to the Board tonight for comments about how the process is going and what else needs to be done moving forward.

At the conclusion of his presentation, Mr. Waldon allowed time for questions from the Board.

Chairman Baucom asked how Voluntary Agricultural Districts would discourage growth or help to control growth. Mr. Waldon responded that it would not discourage growth by itself. He said that some counties in North Carolina have become more aggressive about the Voluntary Agricultural Districts than others. He said that it could accomplish several things and along with some other strategies can help to preserve the agricultural character of those areas. He explained that one thing that the Voluntary Agricultural Districts does is it formally states that at least for this point in time this area is devoted to agricultural use and lets

everyone around the properties know that it is an agricultural use. He said that the Voluntary Agricultural Districts coupled with capital investment decisions to not extend sewer into those areas, partly because they are formally agricultural rural in character, along with some adjustments to development standards that would call for clustering of development to help preserve open space and requiring further setbacks and separation between residential areas and active agricultural uses, would help establish the areas as agricultural and he thought it would actively discourage development. He noted that it would not prohibit development but taken together he believed it would actively discourage it.

Chairman Baucom questioned what the rationale had been in keeping low density in areas that are already growth areas where there is infrastructure and where it is most economical to develop growth. Mr. Waldon responded that there had been a lot of input from the municipalities, particularly in the western part of the County, saying it does not make sense to have medium or high density development in the areas on the edges of the municipalities where the municipal areas are low density so that it creates a doughnut of higher density around a municipality that has lower density. He said that in the areas around the municipalities to the west, they were maintaining a lower density category, which he stated was on the current land use plan, that reflects a consistent pattern as the municipalities are developing. He further stated that contrasted with the areas closer to Monroe and the other side of Monroe where a denser pattern is already in place makes more sense.

Chairman Baucom asked if this was not encouraging sprawl. Mr. Waldon said that he believed the draft plan would encourage the highest concentrations of development closest to where the transportation infrastructure and the water and sewer infrastructure are located.

Mr. Greene commented that he thought the Chairman had raised some excellent questions. He stated that he had no criticism of the draft plan or of the steering committee, but he thought further discussions are needed, which could be done with the Unified Development Ordinance that would follow the map. He said that as he sees it, the County would have about three to five years as it develops its water and sewer capacity to sort through the difficult issue of what type of residential growth does the County need to see in the future. He stated that he thought a good understanding of the impact of different types of residential growth long-term needed to be gained before having that discussion. He said that low density residential growth throughout large areas of the county is probably not going to be a good long-term growth pattern for the County in the terms of costs of infrastructure and the effect on the tax base. He stated that while he has no criticism whatsoever on the draft plan, he did believe this was a critical issue that needs to be explored in more detail by the County over the next year or two.

Mr. Waldon said that he thought the intent of the map was to make clear strategies to pull development in and place it in areas that are most suitable for service by transportation, water and sewer, and then designate the areas on the edges of the county where water and sewer would not be extended, where low density patterns would be encouraged, and where agricultural preservation strategies would be put in place.

Chairman Baucom questioned the green dot on the draft plan in northern Union County for a future wastewater treatment plant and county park. He asked if the dot was generic or site specific. Mr. Waldon responded that it was not site specific but its intent was to indicate ongoing conversations that the Board and staff have had about the need for a second major county park somewhere in that vicinity and also the discussions about the need for an additional wastewater treatment facility and the possibilities of having those considered together. He stressed that there was no site specifically in mind. It was noted that the timeline on the plan was 25 years.

Chairman Baucom said that the Board has taken real action with the City of Monroe regarding wastewater treatment. He said that the green dot showing on the draft plan for a future wastewater treatment facility was not in the area that had been considered previously.

Richard Black commented that the thought was this would be a 25-year plan and in order for the County to be where it needed to be with wastewater treatment, that dialogue needed to start now regarding a future wastewater treatment site. He said that the Monroe plant would cover the County for a certain period of time but questioned what the long-range solution for wastewater treatment would be for the County.

Chairman Baucom said there had been some good discussion with potential partners for regional collaboration for water and sewer. He stated that he believed one of the ultimate objectives is to have a regional wastewater treatment plant that probably would not be located in the area indicated on the draft plan. He suggested that a circle could be included to indicate a future park, but he said that he personally believed the County was beyond a wastewater treatment facility in this area with the work that has been done with Monroe and the discussions that have taken place from a regional basis.

Mr. Waldon said that this issue could be addressed by removing the dot indicating a wastewater treatment facility from the draft plan or by leaving a dot on the plan generically in that area and designating it as a future county park. He further said that the text of the plan could be more specific about the status of wastewater treatment and the future possibilities.

Mr. Greene said that he agreed that the wastewater treatment plant designation should be removed from the draft plan. He stated that the bottom line is that the County is continuing to look for alternatives for long-range wastewater treatment, and, obviously, the County is looking to the City of Monroe for short and medium-term solutions. He said that projections are that long-term there would probably need to be another solution.

Mr. Waldon said that the designation on the map would be changed leaving a symbol on the map with an indication of continued discussions about a park. He further said they would address wastewater treatment by text on the plan.

Chairman Baucom said to designate a wastewater treatment facility on the plan at this time is almost designating growth. Commissioner Openshaw commented that it would almost be mandating growth.

Mr. Waldon commented that there had been great feedback from the Board tonight.

The Chairman asked if conservation development rights or conservation easements have been considered. Mr. Waldon responded that all of those would be potential strategies as part of preservation of character and open space objectives. It was stated that those strategies would be discussed in the plan's text with recommendations for implementation.

Mr. Black shared that all of the documents, including the economic development study, the transportation study, and the preliminary land use plan are included on the County's website under the Planning Department. He noted that on Monday, September 29, at 7:00 p.m. at the Agricultural Center there would be another public input session on the plan.

At the conclusion of the presentation, the Chairman expressed appreciation to Mr. Waldon for his presentation.

Recommended Water Allocation Policy:

Mr. Greene introduced Kevin Mosteller of HDR Engineering to present a recommended draft policy for Water Allocation. He said that Mr. Mosteller had been before the Board previously to discuss broad issues relating to the plan but stated that a much more specific document is available for the Board's review tonight. He shared that the staff's plan, subject to the Board's input, was to call for a public hearing on Monday, October 6th on the recommended plan. He said that the Board had previously authorized staff to schedule a public hearing at such time as a draft plan was available.

Mr. Mosteller stated that approximately 45 days ago, he had updated the Board on the status of the water allocation policy and had received feedback from the Board regarding a policy. He distributed a copy of a draft policy to the Board. He reviewed the agenda for tonight's meetings as follows:

- Water Treatment Capacity – Problem Statement
- Draft Water Allocation Policy – Overview
- Draft Water Allocation Policy – Priority Listings and Approach
- Discussion

He said that the Public Works Department and the Union County Water System serve two distinct areas in the County: the Catawba River Water Treatment Plant Service Area and the Anson County Service Area (served by Anson County Water Treatment Plant) on the eastern side of the County. He stated that the service areas are very distinct and operate on different hydraulic gradients and water cannot be moved easily from one service area to the other.

Mr. Mosteller said that tonight's presentation would focus on the Catawba River Water Treatment Plant Service Area. He said that in looking over the last 15 months at the Catawba River Water Treatment Plant, which the County owns 18 million gallons per day of capacity, the County's demand has exceeded 18 million gallons per day capacity on a number of days and under a number of different water use restrictions. He stated that in May 2007, the County moved to a two-day per week water restriction and even under this restriction, there were several days where the County's demand exceeded 18 million gallons per day of capacity. He said that toward late fall 2007 and through the winter, it quickly moved from one day irrigation to no days of irrigation for the customers. He explained that this was driven by the County's cooperation in the Regional Drought Management Group coordinated by Duke Power. Mr. Mosteller noted that under the no outdoor irrigation, the demand dropped considerably to eight or nine million gallons per day, and the peaks for that time were very low. He pointed out that in addition to no outdoor irrigation, this period was also not during any growing season or any planting season. He said that in the spring when the Drought Management Group allowed those in the region to water one day per week and the County moved to that irrigation pattern, the usage increased rapidly through the growing season and has exceeded the 18 million gallons per day of capacity a number of times even under one-day per week irrigation.

He said that the difference between the maximum day usage, which are the peaks that exceed 18 million gallons per day, is the key measure of what a water treatment plant can do and how they are permitted. He stressed that this was a very important number because this is what the plants are permitted for and what they have to operate within. Mr. Mosteller said that continuing to operate the plant beyond the capacity is not something that is seen as a viable alternative long-term.

He then addressed the Anson Water Treatment Plant average and peak demands over time between October 2007 to August 2008. He said that at first glance the graph showing these demands appear to be an up and down water demand; however, he said that it really is a pumping station issue as the County's water system brings water in from Anson County. Mr. Mosteller said that after studying this data very closely, the team feels there is no need to put any kind of future development restrictions on growth within that basin as it relates to water allocation. He stated that this could be managed by operation of the system.

Mr. Mosteller said that he had shown the same graphs in August regarding the County's usage relating to the maximum day versus the average day use (peaking factor which is the division of the maximum day divided by the average day), the County's water system in the Catawba Plant Service area is about 1.76 as a peaking factor. He stated that some of the other regional utilities including Charlotte-Mecklenburg, the City of Hickory, and Gastonia have lower peaking factors in the 1.5 to 1.2 range. He said that the group has been challenged with how to put together a water allocation policy that manages the peak demand and also possibly controls the peaks.

He pointed out that the peaking factor that people who are using water have when it is only used a few days per year is something that the utility system has to purchase by way of plant capacity, which has a cost associated with it. Mr. Mosteller said that the peaking factor alone, if it were reduced down to 1.6, is a \$15 million capital investment in the water plant that could be saved. He stated that the group has looked at how to control it. He said that as was discussed at the August 11, 2008, meeting, that a precedent has been set to the policy for one day per week outdoor irrigation for customers distributed over five days. He said that if the one-day per week outdoor irrigation is distributed, the group believes there might be 1.9 million gallons per day (estimate) of average capacity to allocate to new customers.

Mr. Mosteller said that at the August 11, 2008, meeting, a question was raised about spreading the one-day per week outdoor irrigation over seven days. He stated that this could be done as the policy moves forward. He said that five days have been put in place and the results are being monitored. He explained that there are challenges with the seven days: one is enforcement by staff and, secondly, the issue of equity for customers with the ones who get to water on Monday through Friday might not like that their neighbors are able to irrigate on Friday, Saturday, and Sunday. He said that there are number of swings between when the customers can irrigate. He stressed that a big challenge is enforcement and making sure the customers are following the irrigation pattern. He said that the seven-day irrigation pattern can be looked at. He stated that the County's customers have been asked to spread the irrigation demand over five days, and as soon as this pattern was implemented, there were several tropical storms and then a great deal

of rain. He shared that the results thus far are pretty good with regard to reduced water demand. He said it is difficult to tell with the wet weather that the area has had recently as to how much is irrigation change versus wet weather.

He said that the draft water allocation policy is laid out similar to the sewer allocation policy and makes an attempt to describe the purpose of the policy, what the issues are with regard to the assignment of priorities and fairness, and what was important to those who drafted the policy, and why there are different priority levels and who got preference in the priorities. Mr. Mosteller further said that the draft policy addresses what the Public Works Department will do by way of accepting new engineering plans and requests for water connections and new capacity. He stated that there are three attachments to the policy described as follows: 1) Attachment One generally describes the two service areas so that the reader understands what they are and the Anson County Treatment Plant Service Area is exempt from this policy and also generally describes the Catawba River Water Treatment Plant Service Area; 2) Attachment Two is a graph highlighting the need for the policy; and 3) Table One is the meat of assigning priorities to new development projects.

Mr. Mosteller reviewed the purpose of the policy:

- the need to fulfill legal obligations, if any, for the County
- to reserve capacity for Government projects, volunteer fire departments, schools, whatever may come up during the period of this policy
- treat all projects the same if they are indeed in the same stage of development
- tried to promote non-residential development to the extent possible
- coordinate with the Sewer Allocation Policy given that there is a utility based reason to have customers both on water and sewer (He explained that the biggest difference in the water allocation policy and the sewer allocation policy is the desire in the way it is written now is to incorporate flexibility to make adjustments during the period of the policy. He said that there is likely to be changes in how much capacity is available during the term of the policy until there is full long-term treatment capacity necessary to allocate to new customers).
- the need to protect the public health, safety, and welfare.

Mr. Mosteller explained the three levels of priorities: A, B, and C. He said that Priorities A and B under the policy as drafted would be provided a water allocation amount. He said that Priority A projects are those that have permits in hand or permits that have

been applied for by the State. He stated that this category accounts for approximately 2.04 million gallons per day of average capacity. He clarified that this does not mean all of the projects contained in this category would be built in the next three months.

In addition to the projects that have permits or permits applied for, he said there is also reserve allocation for residential one-tap projects. He cited as an example a house that has a water main in front of it but it does not have county water but might want a water main connect. He said that this reserve allocation is 160,000 gallons per day. Further, he said that there is a reserve allocation for self-help projects of about 30,000 gallons per day. He noted that there was a reserve allocation for non-residential and governmental facilities of 100,000 gallons per day. Mr. Mosteller explained that these projects will be projects that would be brought forward to Union County Public Works having a water capacity demand of 5,000 gallons per day or less and would be assigned on a first-come, first serve basis. He said that all of the Priority A Projects equal about 2.33 million gallons per day.

In response to a question by Chairman Baucom in connection with middle and high schools “D”, Mr. Mosteller said that there are some government facility projects actually in Priority A, and then there are some reserve allocations for some future ones not yet identified.

He stated that the best way to summarize Priority B projects are those that are getting wastewater capacity mostly through the Sewer Allocation Policy but also have a desire for water. He reviewed the five subcategories of Priority B that account for approximately 1.07 million gallons per day.

Mr. Mosteller stated that Priority C projects are the third priority residential projects that did not get sewer allocation in the Sewer Allocation Policy. He said that these projects are included as Priority C because the policy is designed for flexibility and if the capacity becomes available during the term of the policy, those projects would receive the next level of water allocation. He stated that those projects listed under Priority C projects account for approximately 1.85 million gallons per day.

He next addressed the Priority D projects which he described as the remaining projects that have been identified through the past four or five months of very intensive review of everything being developed in the County that did not get prioritized A, B, or C, which, in fact, only consisted of a few projects, some of which came in during the 30-day notice period during the first quarter of the year when those with outstanding water availability letters were asked to submit. He said that Priority D will also be used for future projects that will be identified and brought forward to Public Works. He said that Priority D projects account for .01 million gallons per day.

Mr. Mosteller showed through the use of a graph that a one-day per week irrigation pattern spread over five days, the group believes would be 1.9 million gallons per day of capacity to provide. He stated that if the County moved to no outdoor irrigation at all, there would be close 4.9 million gallons per day of average day capacity to provide.

He said that it is recommended to start the policy with a one-day per week spread over a five-day irrigation pattern and then to move forward to allow Priority A and B projects to proceed. He stated that the reason the team has developed this plan is it believes even though Priorities A and B are permitted and do not on paper have that amount to allocate, if those projects develop during the timeframe prior to new capacity coming on line, then there is the flexibility of moving back to the no outdoor irrigation. In addition, he said that the policy can remain flexible, there is a continued irrigation opportunity for the existing customers, maintain the revenue stream because of the irrigation, reduce the litigation risks and allowing commercial development under both Priorities A and B.

Commissioner Mills questioned why the five-day irrigation pattern was being recommended rather than the seven-day irrigation pattern. Mr. Mosteller responded that there were a few answers to that question. He said that the reason that the five-day pattern was chosen is because the staff uses a billing system on a five group cycle, and so it was easier for them to notify and then enforce on the grouping of five user types which means the user base being asked to irrigate is equally distributed over five days, and the staff did not have to change anything they are doing.

Commissioner Mills asked if that pattern is working better. Mr. Mosteller responded the change was made after the August 11th meeting and that this irrigation pattern does seem to be working better. He said that as soon as the change was made, there were a couple of tropical storms. He stated that in reality, the numbers looked very good but said that it is difficult to tell with the amount of wet weather in the area.

He said that another reason not to move to a seven-day irrigation pattern is there is a point at which even when there was no outdoor irrigation, the peak demand can only be shaved back to a certain point. He stated that there is always going to be some peak demand. He said that when going back historically and looking at it, which they have done, it is probably only going to make a minor difference. He said they wanted to see how the five-day pattern would work for awhile.

Mr. Greene interjected that the final reason and one that weighed heavily on the group is that the five-day irrigation plan was recommended is that customers are naturally going to want to irrigate on Saturdays and Sundays, and there is no way to give those days to everyone. He said that the staff was concerned that if Saturday and Sunday irrigation were to be allowed, there will be a lot of heartache in answering the questions of why everyone cannot have the benefit of having a weekend.

The Chairman commented that it struck him to be the wrong reason not to do something. He said that Mr. Mosteller had said that it was being done because it was easier for staff, and Mr. Greene had said that not everyone could be given Saturdays and Sundays. He suggested that the Saturday and Sunday irrigation could be done by rotation or by other ways. He said that he did not see why there would not be a 25 percent decrease or two-sevenths of a decrease by allowing irrigation on Saturdays and Sundays.

Mr. Greene said that an area he would disagree with the Chairman about is the ability to use rotation, because he believed it would create mass confusion. He stated that he did not know how often the Chairman was suggesting to rotate the days, but if it were rotated after several months, that would be fine; however, to try and rotate the days routinely, would be a massive undertaking and would create mass confusion for the customers.

Chairman Baucom said that Saturdays and Sundays would now be the two most under utilized days. Mr. Mosteller said that he has had the good fortune to work with the Drought Management Group in the Catawba and has heard a lot of people in the region talk about how they enforce the policies, and the number one way is consistency of the message to the customers. He stated that when the County was under the no outdoor irrigation restriction, the peaking factor was approximately 1.35 million gallons per day. He said that if the plan were spread to seven days, it would likely not be better than the 1.35 million gallons per day. Chairman Baucom pointed out that the months in which the no outdoor irrigation applied was during the winter months. Mr. Mosteller said that the team was assuming that with the five-day spread, it would move the peaking factor from approximately 2.0 million gallons per day to 1.4 or 1.5. He stated that the team was open to look at the seven-day irrigation pattern.

Commissioner Openshaw asked Mr. Mosteller if he had looked at the average day per day for the seven days, in other words, which day uses the most water. He said that he thought that would be a factor to consider. He suggested that if the irrigation pattern went to seven days, a scientific method could be used to basically draw numbers out of a hat for seven districts, and there would be no favoritism. He said that he was not suggesting that the County should go to a seven-day plan now, but if a consistency of message is desired, then the sooner it were implemented, the more rational it would be. He stated that he was concerned with the no irrigation policy, as he believed it was a violation of virtually everyone's rights. He said that if it gets to the point where no irrigation becomes an issue, that perhaps the fall back would be going from five days to seven days.

Chairman Baucom questioned if any of the other counties have implemented a seven-day pattern. Mr. Mosteller responded that he was not aware of any counties implementing a seven-day plan. He said that he knew what all of the counties in the Catawba Basin are doing and a few others in Florida that had been looked at earlier in the project. He stated that one issue that had been

considered that might have an impact was restricting the time of use during the day even on the one-day per week going from 9:00 p.m. to 9:00 a.m. He said that everyone in the Catawba Basin is currently allowing weekend irrigation one day per week. Mr. Mosteller explained the reason that most of the other entities in the Catawba Basin are allowing weekend irrigation one day per week is because most people do have a higher commercial industrial component that does shut down on the weekends.

Commissioner Openshaw said that along with his request for the data per day, he would also like to have the hours per day if the usage can be tracked.

Commissioner Lane questioned whether the County has had a lot of violations since it went to the five-day per week irrigation plan. Mr. Mosteller responded that there have been no violations.

Matthew Delk, Assistant County Manager, asked to clarify Commissioner Lane's question. He said that the Public Works staff, because of the time of the year, were slowed down on enforcement because of the rain and because the County is beginning to move out of the traditional watering season. He said that the Public Works business office made an initial recommendation on the five-day per week irrigation plan for a number of reasons which all revolve around the ability of the department to effectively enforce the ordinance. First of all, he said the consistency of a message to the customers has been something greatly adhered to in the appeals that have occurred from the number of violations issued (over 3,500) since the ordinance has been enforced. He said that it is very difficult to explain to customers the whole concept without having to get into an area where there are split subdivisions between days of watering.

Mr. Delk explained that the Public Works Department has a rotating billing system. He said they have ten batches so that a minimum amount of people can effectively manage a maximum amount of bills, and they are not sending out 38,000 bills at one time. He stated that the billing districts were already effectively organized to try and minimize splitting subdivisions.

Mr. Mosteller said that the policy was designed to have flexibility to make changes as it goes forward because it is recognized that weather patterns and climate impacts could change water use. He stated that the new water rate conservation structure is likely to curb some demand and possibly provide more water allocation for new development. He said that the development schedules given the economy might vary quite a bit. He stated that there is movement to get peak capacity relief from Lancaster County using a portion of its share in the Catawba River Water Plant. He said that it is the team's goal to look at and measure the success and adapt the policy through the summer of 2009 with this irrigation schedule as the County goes through the entire planting season in the summer. Also, he said that the no irrigation policy would be utilized as a contingency plan. He stated that it was recommended that

fast tracking of those projects that will deliver new capacities to the County and evaluating the water re-use program from the wastewater treatment facilities should be paralleled with the plan.

Commissioner Mills asked if in other counties where water allocation policies have been adopted, has it been done through the Planning Department or the Planning Board to inform consumers about what is taking place so people can make some arrangements about what they are planting.

Mr. Mosteller said that he could not speak from a personal experience on how it has been communicated, because he has not put a policy such as this in place in this region. However, he offered to check other locations to see how it might have been done. Commissioner Mills said that he hoped that the consumer could be educated to know that there is a policy in place so that they could plant accordingly.

Mr. Greene added that there has been a great deal of public education. He said that the staff would be glad to make a presentation to the Planning Board at any time. He stated that the conservation measures and the irrigation plan are separate from the allocation policy. He said that he did not think educating the public should slow down the Board's consideration of the allocation policy.

Chairman Baucom said that he would like to have more information on the seven-day irrigation pattern and if it has been done in other counties. Mr. Greene said that the staff hears what the Board is saying about the seven-day pattern and arrangements could be made for enforcement on the weekends. He agreed with Commissioner Openshaw's suggestion that the decisions as to what areas of the customer base get what days should be random. He stated that the Board has given the staff the authority to establish and amend the County's conservation measures, so it would need to be a direction from the Board as a whole to make a certain amendment to those conservation measures. He said that it would be changing the method for establishing conservation measures from the staff to the Commission.

Chairman Baucom said that he had heard the reasons for not doing a seven-day plan, but he would like to have some economic data supporting the reasons why it cannot be done. Mr. Greene suggested that the staff could develop an operational budget for the additional staff resources it would take to enforce the policy on the weekends. He said that it is the one real economic impact, and he did not think that would be significant if that is the direction the Commission wanted to go.

Chairman Baucom responded that he believed it deserved the Board having that information to consider when it considers a definitive amount of resources to work with. He said that if there is an opportunity to stretch that resource, then it should be evaluated.

Mr. Delk shared that this special meeting had been filmed tonight and would be aired on Cable Channel 16. He said that the Power Point presentation and the proposed policy would be posted promptly on the County's website.

With there be no further discussion or comments, at approximately 7:25 p.m. Commissioner Lane moved to adjourn the special meeting. The motion was passed unanimously.